

HOUSE BILL 423
By Ferguson

AN ACT to amend Chapter 165 of the Private Acts of 1917; and any other acts amendatory thereto, relative to the requirements for voting in the City of Harriman.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Article IV, Section 4 of Chapter 165 of the Private Acts of 1917, and any other acts amendatory thereto, is amended by adding the following language to the end of such section:

All natural persons residing outside the corporate limits of the city but within the territorial limits of Roane County, who meet the residency requirements prescribed by the election laws of the state of Tennessee, who own not less than one-half (1/2) interest in a taxable free hold, or husband and wife who own a taxable free hold as tenants by the entirety within the city limits at the time of registration and at the time of the election, and who own such a taxable free hold of sufficient size so as to constitute a bona fide lot (i.e., a lot that can be built upon in compliance with relevant city zoning laws and building codes), shall be entitled to vote in a city election; provided, however, that for the purposes of this section, all persons residing outside the corporate limits of the city and owning a time-share estate as it is defined in Tennessee Code Annotated, § 66-32-102,

within the city limits, shall not be considered the owner of a taxable free hold and shall not be entitled to vote in such election. The nonresident qualified voter shall vote in a precinct assigned by the election commission, and the voter shall, within the time required for registration of voters of such election, provide evidence satisfactory to the Roane County Election Commission, that the voter is a qualified voter in the upcoming election. The nonresident qualified voter shall, as part of providing satisfactory evidence to the Roane County Election Commission, secure from the city a statement that the taxable free hold owned by the voter is of sufficient size so as to constitute a bona fide lot. A qualified voter residing outside of the city limits shall not be entitled to run for or hold office to any elective position.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Harriman, not more than ninety (90) days subsequent to the date this act becomes a law, and its approval or nonapproval shall be proclaimed by the presiding officer of the city council and certified to the secretary of state; or unless it is approved by a majority of the number of qualified voters of the City of Harriman voting in an election on the question of whether or not the act should be approved. The ballots used in the regular election to be held Tuesday, June 3, 2003, shall have printed on them the substance of this act, if a referendum is to be held, and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in the city elections of the City of Harriman. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act. The cost of the election shall be paid by the City of Harriman.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in section 2.